



**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**Monthly Enforcement Report**  
**for actions during August 2017**  
**DISTRIBUTED: September 6, 2017**

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*This report has been prepared to satisfy a statutory obligation under 38 M.R.S. § 349(7) that the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Ronald Mongeon at (207) 287-7740 or [ronald.mongeon@maine.gov](mailto:ronald.mongeon@maine.gov) for additional information regarding the activities listed in this report.*

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The following cases were resolved to: achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and/or impose penalties to deter similar actions in the future.

**Consent Agreements Approved by the Commissioner and Office of the Attorney General (party followed by location):**

*Land:*

**Town of Camden, Camden, Maine.** The Town of Camden (“Camden”) owns and operates a ski resort called “The Camden Snow Bowl” through the Parks and Recreation Department in Camden, Maine. In response to complaints, Department staff inspected the property and observed that the dragging of logs down the ski slopes had disturbed more than an acre of land. No erosion controls were in place and accumulated sediment was observed in the woods, off the property. Additionally, areas adjacent to an unnamed stream had been cleared of vegetation and the soil had been disturbed, and soil, silt and sediment had left the site. After discussions with the Camden, staff observed that Camden had adequately removed accumulated sediments. By performing the above listed actions, Camden violated the *Erosion and Sedimentation Control* law, 38 M.R.S. § 420-C, the *Protection and Improvement of Waters* law, 38 M.R.S. § 413, the *Stormwater Management* law, 38 M.R.S. § 420-D, and the *Natural Resources Protection Act*, 38 M.R.S. § 480-C. To resolve these violations, Camden agreed to: pay the *Treasurer, State of Maine*, a civil monetary penalty of eight thousand, four hundred and thirty-six dollars (\$8,436.00); and complete a Supplemental Environmental Project with a total budget of at least thirty three thousand seven hundred and forty-four dollars (\$33,744.00) for the purposes of controlling a sediment discharge into Hosmer Pond at the existing Hosmer Pond Boat Ramp.

**P M D, Inc., Bridgewater, Maine.** P M D, Inc. (“PMD”) is a Maine corporation in good standing that operated a borrow pit on Corner Road in Bridgewater, Maine prior to September of 2012. Department staff inspected the property and aerial photographs and confirmed that the borrow pit had been expanded by approximately 17 acres since 1970 and that in 2012 the working pit measured approximately 13 acres. In 2012 PMD sold the property to McCrum Land, LLC. By expanding a gravel or borrow pit by more than five acres since 1970 without first filing a “Notice of Intent to Comply,” pursuant to the *Performance Standards for Excavation for Borrow, Clay, Topsoil or Silt* law, PMD violated the *Performance Standards for Excavation for Borrow, Clay, Topsoil or Silt* law, 38 M.R.S. § 490-C. To resolve the violation, PMD agreed to



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pay the *Treasurer, State of Maine* a civil monetary penalty in the amount of eight thousand dollars (\$8,000.00).

**McCrum Land, LLC, Bridgewater, Maine.** McCrum Land, LLC (“McCrum”) is a Maine Limited Liability Company in good standing that has owned a borrow pit on Corner Road in Bridgewater, Maine since September of 2012. Department staff inspected the property and aerial photographs and confirmed that the borrow pit had been expanded by approximately 4 acres since the purchase of the borrow pit from P M D, Inc. in 2012. Additionally, staff observed that an underdrain trench with piping was constructed and the pit face was breached to allow water to drain from the pit and gravel had been excavated within five feet of the seasonal high-water table. By operating a gravel or borrow pit that was expanded by more than five acres since 1970 without first filing a “Notice of Intent to Comply,” pursuant to the *Performance Standards for Excavation for Borrow, Clay, Topsoil or Silt* law, McCrum violated the *Performance Standards for Excavation for Borrow, Clay, Topsoil or Silt* law, 38 M.R.S. § 490-C. By operating a gravel or borrow pit that drains externally without first obtaining a permit, McCrum violated the *Performance Standards for Excavation for Borrow, Clay, Topsoil or Silt* law, 38 M.R.S. § 490-D(8). To resolve these violations, McCrum agreed to: cease any further gravel mining within five feet of the seasonal high water table unless and until a variance is obtained; submit an after the fact “Notice of Intent to Comply”; seed the externally draining areas of the pit with grass; and pay the *Treasurer, State of Maine* a civil monetary penalty in the amount of one thousand nine hundred and thirty-five dollars (\$1,935.00).

**Vining Mining LLC, Farmington, Maine.** Vining Mining LLC is a Maine Limited Liability Company in good standing that operates borrow pits on properties on Wilton Road and Whittier Road in Farmington, Maine. The properties contained a portion of both Sandy River and Temple Stream. Department staff observed that two stream crossing had been constructed, one across the Sandy River and the other across Temple Stream, to gain access to gravel mining sites. The crossings were constructed by removing sand and gravel from gravel bars located in Sandy River and Temple Stream. It was also observed that the crossings installed failed to follow the plans submitted by creating a crossing of 29 feet width rather than the approved 12 foot width. By performing the above listed actions, Vining Mining LLC committed multiple violations of the *Natural Resources Protection Act*, 38 M.R.S. § 480-C. During a follow-up inspection, staff observed that both stream crossings had been completely removed. To resolve these violations, Vining Mining LLC agreed to pay a civil monetary penalty to the *Treasurer, State of Maine* of nine thousand three hundred and ninety-four dollars (\$9,394.00).



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*Air:*

**MFGR, LLC, Old Town, Maine.** MFGR, LLC (“MFGR”) is a Delaware Limited Liability Company authorized to conduct business in Maine and owns a Pulp Mill with its principal location in Old Town, Maine. MFGR is subject to an Air Emissions License in which MFGR failed to submit the fees for Fiscal Years 2016 and 2017. By failing to submit licensing fees, MFGR violated Standard Condition Four of its Air Emission License and the *Maine Environmental Protection Fund* law, 38 M.R.S. § 353-A. To resolve these violations, MFGR agreed to: pay the 2016 outstanding licensing, permitting fees and interest relating to the Air Emission License; and to pay the 2017 outstanding licensing, permitting fees and interest relating to the Air Emission License as well as the licensing and permitting fees due each month.